

MARK COX,
Plaintiff,
v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND
TO PLAINTIFF'S COMPLAINT**

(Doc. 8)

The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security (the "Commissioner"), shall have an extension of time to respond to Plaintiff's Complaint in this case.

In support of this request, the Commissioner respectfully states as follows:

1. Defendant's response to Plaintiff's Complaint is due August 15, 2022. Defendant has not previously requested an extension of this deadline.

2. The certified administrative record (CAR) in this case has not been finalized for filing. Counsel for the Commissioner has been in contact with the Office of Appellate Operations (OAO), which is responsible for preparation of CARs. OAO has advised that it expects to be able to finalize this CAR within the next 45 days. To allow Counsel for the Commissioner the opportunity to review the CAR for defensibility purposes prior to filing, Defendant requests an extension of 60 days to respond to Plaintiff's Complaint.

3. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that he has no objections.

4. This request is made in good faith and is not intended to delay the proceedings in this matter.

WHEREFORE, Defendant requests until October 14, 2022, respond to Plaintiff's Complaint.

Respectfully submitted,

Date: August 15, 2022

PENA & BROMBERG

By: /s/ Caspar Chan for Jonathan Pena*

JONATHAN PENA

**Authorized by email on August 15, 2022*

Attorneys for Plaintiff

Date: August 15, 2022

PHILIP A. TALBERT

United States Attorney

Eastern District of California

By: /s/ Caspar Chan

CASPAR CHAN

Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Pursuant to the parties' above stipulation (Doc. 8), and for good cause shown,

IT IS HEREBY ORDERED that Defendant shall have an extension of time until October 14, 2022, to file the certified administrative record, which will be deemed an answer to the complaint pursuant to the Scheduling Order (*see* Doc. 4 at 2). All other deadlines set forth in the Scheduling Order shall be extended accordingly.

IT IS SO ORDERED.

Dated: August 15, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE